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LETTER REGARDING FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
APPROVAL OF THE FINAL WORK PLAN FOR IN SITU BIOREMEDIATION OF
CHLORINATED SOLVENTS IN GROUNDWATER AT STUDY AREA 17 AND TRANSMITTAL
OF THE REMEDIAL ACTION PLAN APPROVAL ORDER NTC ORLANDO FL
1/27/2012
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard Jr.
Secretary

January 27, 2012

BRAC PMO SE
Attn: Mr. Art Sanford
4130 Faber Place Drive
Suite 202
North Charleston, SC 29405

RE: Final Work Plan, In Situ Bioremediation of Chlorinated Solvents in Groundwater
at Study Area 17, Former Naval Training Center Orlando, Florida

Dear Mr. Sanford:

The Department has completed its review of the Final Work Plan, In Situ Bioremediation of Chlorinated Solvents in Groundwater at Study Area 17, Former Naval Training Center Orlando, dated December 14, 2011 (received December 20, 2011), prepared and submitted by Solutions-IES, Inc. Because conducting the work outlined in the Work Plan entails the injection of chemical(s) into the surficial aquifer that would otherwise require an Underground Injection Control Permit, the Work Plan was reviewed as a Remedial Action Plan under Chapter 62-780, Florida Administrative Code. Based upon our review, the enclosed Remedial Action Plan Approval Order (RAPAO) was signed by Mr. Doug Jones, Chief, Bureau of Waste Cleanup. The RAPAO is the Department's authorization to conduct the work specified in the Work Plan.

If you have any concerns regarding this letter, please contact me at (850) 245-8997.

Sincerely,

David P. Grabka, P.G.
Remedial Project Manager

CC: Teresa Grayson, Tetra Tech, Oak Ridge, TN
Jessica Keener, Solutions-IES, Raleigh, NC

KAW ESN



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CERTIFIED MAIL
RETURN RECEIPT REQUESTED

BRAC Program Management Office Southeast
Attn: Mr. Art Sanford
4130 Faber Place Drive
Suite 202
North Charleston, South Carolina 29405

Subject: Remedial Action Plan Approval Order
Study Area 17
Former Naval Training Center Orlando
Orlando, Orange County

Dear Mr. Sanford:

The Bureau of Waste Cleanup has reviewed the Final Work Plan, In Situ Bioremediation of Chlorinated Solvents in Groundwater at Study Area 17, Former Naval Training Center Orlando, which hereinafter will be referred to as a Remedial Action Plan (RAP) dated December 14, 2011 (received December 20, 2011), prepared and submitted by Solutions-IES, Inc. for the site referenced above. We found all the documents submitted to date to be adequate to meet the RAP requirements of Rule 62-780.700, Florida Administrative Code (F.A.C.). The Florida Department of Environmental Protection (Department) has determined that the actions proposed in this RAP represent a reasonable strategy toward accomplishing the cleanup objectives of Chapter 62-780, F.A.C. However, implementation of this RAP will not result in a complete cleanup to the applicable cleanup target levels referenced in Chapter 62-777, F.A.C., or site-specific cleanup target levels. A subsequent phase of remedial design will be necessary to accomplish the necessary comprehensive cleanup in accordance with Chapter 62-780, F.A.C. Pursuant to Paragraph 62-780.700(8)(a), F.A.C., the Department approves the RAP as described in this RAP Approval Order (Order).

If it appears during RAP implementation that the remedial strategy is not effective a request for modification of this Order, pursuant to Subsection 62-780.700(15), F.A.C., may be submitted to the Department or the Department may require the preparation and submittal of a RAP Modification to enhance the active remediation. Depending on the nature of the system modification, the Department may revoke this Order.

The operation of the active remediation system must be initiated within 120 days, as required by Subsection 62-780.700(12), F.A.C. You are also required to submit to the Department record drawings (as-built drawings) of the treatment system within 120 days of initiating operation of the active remediation system(s). These drawings must be signed and sealed by a professional engineer.

Legal Issues

The Department's Order shall become final unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, Florida Statutes (F.S.), within 21 days of receipt of this Order. The procedures for petitioning for an administrative hearing are set forth below.

Persons affected by this Order have the following options:

- (A) If you choose to accept the Department's decision regarding the RAP you do not have to do anything. This Order is final and effective as of the date on the top of the first page of this Order.
- (B) If you choose to challenge the decision, you may do the following:
 - (1) File a request for an extension of time to file a petition for an administrative hearing with the Department's Agency Clerk in the Office of General Counsel within 21 days of receipt of this Order; such a request should be made if you wish to meet with the Department in an attempt to informally resolve any disputes without first filing a petition for an administrative hearing; or
 - (2) File a petition for an administrative hearing with the Department's Agency Clerk in the Office of General Counsel within 21 days of receipt of this Order.

Mr. Art Sanford
Building 502, Tank 502
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Please be advised that mediation of this decision pursuant to Section 120.573, F.S., is not available.

How to Request an Extension of Time to File a Petition for an Administrative Hearing

For good cause shown, pursuant to subsection 62-110.106(4), F.A.C., the Department may grant a request for an extension of time to file a petition for an administrative hearing. Such a request must be filed (received) by the Department's Agency Clerk in the Office of General Counsel at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000, within 21 days of receipt of this Order. Petitioner, if different from Art Sanford/BRAC Program Management Office Southeast, shall mail a copy of the request to Art Sanford/BRAC Program Management Office Southeast, at the time of filing. Timely filing a request for an extension of time tolls the time period within which a petition for an administrative hearing must be made.

How to File a Petition for an Administrative Hearing

A person whose substantial interests are affected by this Order may petition for an administrative hearing under sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) by the Department's Agency Clerk in the Office of General Counsel at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000, within 21 days of receipt of this Order. Petitioner, if different from Art Sanford/BRAC Program Management Office Southeast, shall mail a copy of the petition to Art Sanford/BRAC Program Management Office Southeast, at the time of filing. Failure to file a petition within this time period shall waive the right of anyone who may request an administrative hearing under sections 120.569 and 120.57, F.S.

Pursuant to subsection 120.569(2), F.S. and rule 28-106.201, F.A.C., a petition for an administrative hearing shall contain the following information:

- (a) The name, address, and telephone number of each petitioner; the name, address, and telephone number of the petitioner's representative, if any; the site owner's name and address, if different from the petitioner; and the name and address of the site;
- (b) A statement of when and how each petitioner received notice of the Department's action or proposed action;

- (c) An explanation of how each petitioner's substantial interests are or will be affected by the Department's action or proposed action;
- (d) A statement of the disputed issues of material fact, or a statement that there are no disputed facts;
- (e) A statement of the ultimate facts alleged, including a statement of the specific facts the petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the Department's action or proposed action; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the Department to take with respect to the Department's action or proposed action.

This Order is final and effective as of the date filed with the Clerk of the Department. Timely filing a petition for an administrative hearing postpones the date this Order takes effect until the Department issues either a final order pursuant to an administrative hearing or an Order Responding to Supplemental Information provided to the Department pursuant to meetings with the Department.

Judicial Review

Any party to this Order has the right to seek judicial review of it under section 120.68, F.S., by filing a notice of appeal under rule 9.110 of the Florida Rules of Appellate Procedure with the Department's Agency Clerk in the Office of General Counsel at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days after this Order is filed with the Department's clerk (see below).

Questions

Any questions regarding the Department's review of your RAP should be directed to David Grabka at (850) 245-8997. Questions regarding legal issues should be referred to the Department's Office of General Counsel at (850) 245-2242. Contact with any of the

Mr. Art Sanford
Building 502, Tank 502
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above does not constitute a petition for an administrative hearing or a request for an extension of time to file a petition for an administrative hearing.

Sincerely,



Douglas A. Jones, Chief
Bureau of Waste Cleanup
Division of Waste Management

DAJ/dpg

Enclosures

ec: David Grabka, FDEP-BWC - david.grabka@dep.state.fl.us
File

FILING AND ACKNOWLEDGMENT
FILED, on this date, pursuant to
§120.52 Florida Statutes, with the
designated Department Clerk, receipt
of which is hereby acknowledged.

Marianne L. Robinson
Clerk
(or Deputy Clerk)

January 27, 2012
Date

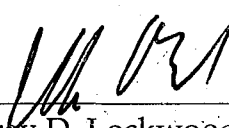
CERTIFICATION OF APPROVAL

January 23, 2012

RE: Final Work Plan, In-Situ Bioremediation of Chlorinated Solvents in
Groundwater at SA-17, Former Naval Training Center Orlando

In my professional judgment, the proposed remediation measures contained in the above-referenced document, dated December 14, 2011 (received December 20, 2011) provide reasonable assurance of reducing applicable pollutants that may be potentially harmful or injurious to human health or welfare and animal or plant life in accordance with state requirements described in Chapter 376, F.S.

Jody L. Overmyer, P.E., Florida Professional Engineer # 70887, of Solutions-IES, Inc., is the engineer of record for this project.



Jeffrey D. Lockwood, P.E., BCCE
Professional Engineer No. 39554
Expires February 28, 2013

1-23-12
Date